## CRIME IN THE METROPOLIS.

Opening of the January Term of the General Sessions.

Judge Bedford's Charge to the Grand Jury-Criminal Statistics for 1870.

"Business before pleasure" is a favorite and s "wise saw" when there is only one party to be conred: but if the pleasure concerns, not an individual alone, but a whole community, then the reverse of the apothegm applies, and pleasure first and business afterwards becomes the order of the day. So it has been in all Gotham for the past ten days-pleasure has been rampant and business nt: but the tide has turned, and business before pleasure is again, as it must ever be, the real to of he time in which we live. The Gradgrind policy is, after a brief renunciation of its powers. in e ascendant, and the whole progeny of Gradgrinds t "live, move and have their being" the world of law are in active resumption of business. The great wheel of litigation is again in motion, and the bench, lawyers and clients, jurors and witnesses, and indeed "all to whom these presents come greeting," are in that sattiful state of excitement and uncertainty pecuhar to those who appeal to the law for satisfaction

COURT STATISTICS. The HERALD has published interesting statistics of the proceedings of the courts for the past year, in as far as such information was attainable from the records of the different branches of the courts. In the Criminal Courts, in the Court of Oyer and Terminer and the Court of General Sessions the records of trials, convictions and sentences, as well as the acquittal of parties wrongfully accused, are full of ouragement to the well disposed and of warning to the transgressors-assuring them, indeed, if they are open to warning and conviction, way of the transgressor is hard. As stated in a previous article a few days ago, two men are under the extreme ban of the law—Sullivan (white) and Thomas lored), both for the crime of murder. One was tried, convicted and found guilty in the Court of General Sessions, and sentenced to be hung in February next. Thomas was similarly tried and convicted and sentenced to be hung in February next. The circumstances detailed on the trials of these parties-in fact the testimony against them was so clear and overwhelming, and the duties of the respective juries were so apparent, that they had really no "hinge or hoop to hang a doubt on," and the culprits only found justice at their hands when they met with stern and retributive condem-

COURT OF GENERAL SESSIONS—JUDGE BEDFORD'S CHARGE TO THE GRAND JURY.

With the exception of the Court of General Sessions the HERALD has already published full reports of the statistics of crime and litigation that have enraged the attention of the courts for the past year. The casus celebres have perhaps not been so thoroughly within the category of cases so designated a they have been in years past; but still the records unfortunately show that crime was rife, if punishment was not so immediate and effective as it ought to have been. The community has yet to deplore the impunity with which crime stalks abroad in the person of the murderer of Mr. Nathan, notwithstanding George Jones, of Boston barratry notoriety's miserable story of the arrest of some individual charged therewith in the cracked brain, however, only of the said George Jones.

The McFarland trial in the early part of the year is now a tale of the past-

Of him who left half told The story of Cambuscan bold. But, to come to the Court of

GENERAL SESSIONS. A record here presents itself of duties well performed in the past year, and of assurances of perfect namimity between Judge Bedford, who presides on the bench during the January term, and the jury, before whom the very worst class of offenders in the whole community will come up for trial on indictment, so that the lives and property of citizens, so far as the law is a terror to them, wit be protected to the utmost. In this court

THE JANUARY TERM opened yesterday, inaugurated by a charge to the Grand Jury from Judge Bedford, which we publish in full below, and which will, in its spirit and sentiment, find an echo in the breast of every law-abiding ctuzen in the community. In his usual brief, curt, prompt and incisive style of address Judge Bedferd presents two important questions to the jurors elled in his court—the preval and the best and really only ends to be used for its "STERN NECESSITY."

the preguant expression used by Judge Bedford in another sense lately, has arrived, and it is devontiy to be hoped that grand and petit jurors slike will cordially and fully come up to a thorough appreciation of the phrase. Judge Garvin, District Attorney, and his able assistants, are imbued fully with the spirit which actuates Judge Bedford and Recorder Hackett in their judicial visitations upon crime and criminals, and in their joint action the transgressors of the law will find that the penalty of crime as the law lays it down will be rigidly and inexorably enforced.

EMPANELLING OF THE GRAND JURY. The Clerk called the Grand Jury panel, and so large was the attendance of those gentlemen that over a dozen were excused from serving, the law only requiring twenty-three to constitute the grand inquest. Mr. Francis H. Amidon was selected to act

JUDGE BEDFORD'S CHARGE. After the grand jurors were sworn Judge Bedford delivered the following charge:-MR. FOREMAN AND GENTLEMEN OF THE GRAND

MR. FOREMAN AND GENTLEMEN OF THE GRASS JURY:—
The statute makes it incumbent upon me to direct your attention especially to the Excise, Usury, Lottery and Election laws; also to the laws against the taking of illegal fees by public officers and to an act passed March 3, 1860, to prevent frauds in the sale of tackets upon vessels. It is my duty also to inform you that if you find an indictment against a person for a felouy the law does not permit you to disclose the fact, except to the Court and District Attorney, until after such person shall have been arrested. If you do, remember you will be guilty of misdemeanor.

you do, remember you will be guilty of misdemeanor.
It is usual, gentlemen, on the opening of each
term of this court for the presiding judge to ofter a
few general observations to the Grand Jury in reference to their duties and the solemn responsibilities
devolving upon them.

As I look upon the gentlemen at present constituting that body I recognize many who from past
experience must indeed be fully acquainted with
the obligations assumed by Grand Jurors; it would,
therefore, I think, be superfluous for me to make a
lengthened audress as regards those obligations.
Suffice it to say, by the simple ruiniment of the oath
which has just been administered, you will have at
once discharged your entire duty to the State, to the
accused and to your own consciences.

I may be permitted, however on this occasion, to
say that it is with real satisfaction that I invite your
attention for the moment to the criminal statistics
of the county during the year which has just passed
away.

The official record of the trials convictious and

away.

The official record of the trials, convictions and sentences in the three criminal courts of this city fluring the last twelve months were then recapitulated:—

during the last twelve months were then recapitulated:—

COURT OF SPECIAL SESSIONS.

The Court of Special Sessions, a tribunal well known for its honest and rapid despatch of all the misdemeanors perpetrated in the cuy and county of New York, gives us the following:—

The total number of cases disposed of by this court were 5,335. The convictions amounted to 3,249; the acquitta.s. 444; while 1,573 were discharged on account of the non-appearance and withdrawal of witnesses, and 30 cases were sent to the General Sessions for trial. Among those convicted 1,582 were sent to the Penitentiary for various terms; 311 were sent to the first prison; 57 to the House of Refuge; 582 were fined, and 687 were sent to the several juvenile reformatories. There were 1,819 convicted of petit larceny; 194 acquitted, and 452 discharged for failure of evidence; 1,000 convicted of assanit and battery; 217 acquitted, and 1,019 discharged for failure of evidence; 15 convicted of teeping disorderly houses; 8 acquitted, and 1,019 discharged for failure of evidence; 15 convicted of teeping disorderly houses; 8 acquitted, and 6 discharged for failure of evidence; 10 convicted of violating health laws; 3 acquitted, and 5 discharged for failure of evidence; 229 convicted for cruelly to animals; 20 acquitted, and 24 discharged for failure of evidence; 95 convictions for other misdemeanors; 18 acquittels, and 44 discharges.

OYER AND TERRINER.

The Court of Oyer and Terminer, presided over by the justices of the Supreme Court, gives the following list of cases, pfaced on the calender by the District Attorney:—100 prisoners charged with felony were disposed of, 38 of whom were convicted and 14 were ac-

quitted. There were 8 trials for homicides, which resulted as follows:—3 were convicted of murder in the first degree; 2 of manstaughter, first degree; 1 of manshaughter, second degree, and 2 of manshaughter, third degree; 3 convictions for assault with intent to kill, and 2 acquittals for a similar offence; 4 convictions for an assault with intent to rob; 1 conviction for an assault with a dangerous weapon; 5 convictions for robbery in the first degree and 1 acquittal; 1 conviction for burglary in the first degree; 9 convictions for robbery in the first degree and 2 acquittals; 8 convictions for attempt to commit ourglary in the third degree and 2 acquittals; 8 convictions of attempt to commit grand larceny; 2 convicted of pellt larceny from the person and 1 acquittal; 1 convicted of pellt larceny; 1 convicted of forgery, and degree, and 1 acquitted; 2 convicted of forgery, and 1 for violation of election laws.

COURT OF GENERAL SESSIONS.

and 1 for violation of election laws.

To the Court of General Sessions there were 956 cases of felony disposed of, there being 768 convictions and 217 acquittals; there were 15 cases of homicide, which resulted as follows;—otred for murder, 2 convicted and 3 acquitted; 2 tried for mansiaughter in the second degree and convicted; 4 tried for mansiaughter, thru degree, and all convicted; 3 tried for mansiaughter, thru degree, and all convicted; 3 tried for mansiaughter, thru degree, and all convicted; 3 convicted of assault with mitent to kill and 16 acquitted; 32 convicted of assault with mitent to kill and 16 acquitted; 22 convicted of assault with mitent to rob; 4 convicted of assault with mitent to rape; 1 convicted of assault with mitent to rape; 1 convicted of assault with mitent to rape; 1 convicted of rape and 6 acquitted; 37 convicted of hardery into the person and 2 acquitted; 2 convicted of assault with mitent to rape; 1 convicted of rape and 6 acquitted; 37 convicted of lateral promited of burglary in the first degree and 11 acquitted; 12 convicted of burglary; in the second degree and 12 acquitted; 13 convicted of attempts to commit burglary; in the second degree and 1 acquitted; 13 convicted of attempts to commit burglary; in the second degree and 1 acquitted; 12 convicted of acquitted; 12 convicted of acquitted; 12 convicted of acquitted; 13 convicted of acquitted; 14 convicted of acquitted; 14 convicted of acquitted; 2 convicted of receiving stolen goeis and 8 acquitted; 2 convicted of receiving stolen goeis and 8 acquitted; 2 convicted of persuance and acquitted; 2 convicted of acquitted

Not only the Grand Jurors, but every one within

the sound of the Judge's voice, listened with profound interest to the lucid statement which his Honor gave of the result of the year's business in the criminal courts of this city.

## A NEW YEAR'S CALL.

Fatal Termination of a Barroom Fight-Value of a Post-Mortem Examination. Among the thousands of persons who celebrated the advent of the New Year on Monday last was Joseph Crawford, a quiet and industrious youth, nmeteen years eld. About one o'clock in the after-noon Joseph leit his house, 160 West Pourth street, and joining two or three of his companions started on their errand of call-making, which they kept drop into Steffen's grocery and liquor store, corner of Bieccker and Cornella streets. There young Crawford and his friends encountered several halfintoxicated young men, who seemed to be wrang-

ting, in a quarrel, during which one of the boys struck young Crawford on the head with a glass bottle, as stood quietly by the stove, taking no part what ever in the disturbance. He was partially felled to the floor by the force of the blow, and, by request, his friends took him home. On entering the house Joseph complained to his sister, entering the house Joseph complained to his sister, Mrs. Cave, that he experienced great pain in his head, but before the canse of the trouble could be explained to Mrs. Cave he became unconscious, and never railied. Dr. Hichardson was immediately summoned, but before he arrived the young man was dead. At this the nothing was known about deceased having been struck, and the friends imagined he might have died from natural causes. Subsequently a juryman, who had been in deceased's company, called at the house of Mr. Cave and told him that Crawford had been struck on Total Head.

by some one in the liquor store. This led to an investigation, and in the meantime Coroner Keenan was notified, as also was Captain McDonnell, of the Twenty-eighth precinct. The names of several of the youths who cagaged in the quarrel have been learned by Captain McDonnell and Mr. Cave, and to them it was intimated that a lad named Barber had Indicted the fatal violence. The captain sent an officer to Barber's residence in 104th street for the purpose of securing him to await the result of an investigation. As soon as the attendance of the necessary witnesses can be secured Coroner Keenan will make a thorough investigation of the case.

VALUE OF A POST-MORTEM EXAMINATION. Dr. Richardson, the physician, who arrived too Dr. Richardson, the physician, who arrived too late to render any ald in the case, was unable to determine the cause of death from the symptoms indicated, and consequently could give no burial certificate. Drs. Wooster Beach and Richardson made a post-mortem examination on the body and found a fracture of the skull, which fracture caused death. The following persons are under arrest at the Twenty-eighth precunct station house on suspiction of being concerned in the Intal assault on Crawford:—Benjamin E. Barber, or 104th street; Richard of being concerned in the intal assum on Craw-lord:—Benjamin F. Barber, of 104th street; Richard Dillon, of 347 West Thirty-seventh street; John an Edward Dyke, of 230 Waveriey place; Garrett for Thomas Hil, of No. 9 Sixth avenue; James Syakh, of No. 6 Cornella street, and John Martin, of 125 West Tenth street. These are all held to avair the result of the imquest.

# ANOTHER POI ONING CASE IN JERSLY.

Diabolical Attempt to Polson a Widow and Her Daughter-A New Version of "Your Money or Your Life."

Last Saturday night, about ten o'clock, as Mrs latiney, bridge tender of the Willow street bridge in Trenton, was preparing for bed, she heard a knock at the door, and answered it. A young man confronted her, having a large cake in his hand, which he said had been sent as a New Year's present fo the daughter, a young woman of eighteen year who was sleeping on the settee. Mrs. C ney asked the young man to come he house, but he declined, saying that he merely been made the bearer of the present. Mrs. Gaffney, supposing that some one had remer her widowhood with a New Year's gift, eal daughter, and they proceeded to cut open nincent cake. In the centre was a plug of compound, which the mother tasted with her tongue. She was shortly after seized and sickness and remained ill for hours, was put away, and Mrs. Gafney salence regarding the occurrence. State of the cake to a druggist's in the city, who was poisonous in the highest degree, luttle of it would cause death.

The affair has created no little reference has a created no little reference has a created no little reference has created no little reference has created no little reference has created in the peen engaged some time in little reference has created in vestigation from this world, remains a second the pound of the pound of the peen engaged some time in little reference has created in vestigation from this world, remains a second the pound of the pound of the peen engaged some time in little reference has created in the peen engaged some time in little reference has created no little re her widownood with a New Year's gift, cal and that a very

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# THE COURTS.

The Case of the Florida-Fisk and the Albany and Susquehanna Road - Theatrical Tribulations at the Hub-The Boston and Erie Railroad-Points on a Piano-Business in the Court of General Sessions.

UNITED STATES DISTRICT COURT. The Case of the Florida-The Cuban Question-What is Neutrality ? Before Judge Biatchford.

The trial in the case of the steamer Florida was continued yesterday before Judge Blatchford. Francis Darr, the claimant of the vessel, was recalled, and deposed that he spoke to Mr. Comache on one occasion in reference to Cuban matters; asked his advice about purchasing the rigging for the Florida; he said it would be a good thing to have, as it would enable him to land the arms in Vera Cruz; I told General Quesada that I was about to put arms on the Florida; I never saw the General on board the ship. The witness then enumerated the various articles on board the Florida, including the ammunition, rifles and guns.

Mr. Donohue, the counsel of the claimant, then offered in evidence the following

IMPORTANT LETTER FROM THE SECRETARY OF THE

INFORTANT LETTER FROM THE SECRETARY OF THE INTERIOR:—

DEPARTMENT OF THE INTERIOR.)

WASHINGTON, Get. I, 1833. (

MY DEAR GENERAL.—Your despatch of to-diay came while I was at a Cabinet meeting, and after I had brought before the President your letter on same subject.

After full consultation with the Cabinet the President was of opinion that the shipment of arms and munitions of war is not prohibited to either party in the Cuban struggle. The revolutionists have as full power to buy and to ship as the Spaniards. It is upon the litting out of a military or naval expedition, warlike in its character, that the neutrality laws operate. It is an entire mistace to suppose that the United States officers have ever been instructed to stop the shipment of merchandise, though it be in the form of articles contraband of war. The owners and master of the versel must aimply take their own risk is such cases.

But if an expedition, whether of armed men or armed vessels, or of ressels titled and prepared and intended for naval warfare, is stricted mour ports, then the question of our duty as neutrals or as a friendly Power arises; and even if we had acknowledged the Independence of Cuba our duty and our rule could be nowise different until we had distinctly and publicly espoused one side of the quarrel by making war upon the older.

You must remember that we constantly bought arms of England during the reboilion, and no one questioned the less right of Englandments.

war.

The Cuban republicans must learn to draw this distinction
before complaining of our conduct. In this respect, as I
have said before, the recognition of their independence
would not alter the law. In haste, very truly yours,
General F. Dakus J. D. COX.

Mr. Costello, a leading Cuban, was next called, and testified that he loaned Mr. Darr, the claimant, \$23,000, but he knew nothing about the purchase of the Florida at the time. The case was then adjourned till this morning. In Re the Boston and Hartford and Eric Rails

road. A petition was filed by counsel for James Alder asking that the Boston, Hartford and Eric Railroad might be adjudged in bankruptcy. An order to show cause why the road should not be adjudged in bankruptcy was issued by the Court, and it was made returnable on the 4th inst. Mr. Alder is one of the stockholders of the company.

SUPREME COURT-SPECIAL YERM.

The Fisk, Jr., and Albany and Susq channa Railway Sult and Where It Shall Be

James Fisk, Jr., vs. The Albany and Susquehanna Railway Company.—The following decision in this case was rendered yesterday by the Judge:-The apolication for a stay in this case until the appeal from an order entered by my direction changing the place of trial herein can be proceeded with, having been by the direction of the General Term referred to me. and the application having been made, and being per to state the reason why, incomuch as it might seem otherwise to be in conflict with the order recently made herein by Justice Learned. It is provided by section ten of the act relating to the Supreme Court, &c., passed April 27, 1870 (Laws 1870, vol. 1, p. 94), that all appeals and other matters proper to be brought before any General Term shall be heard and determined in the department in which the judgment or order appealed from shall be entered. From this provision it seems clear to me that if any appeal exists in this case it must be presented for consideration to the General Term of this district or department, and not to any other, the order appealed from having been entered here. To this statute Justice Learned has not referred in his opinion. It may be that it was overlooked. It may be also that if the paners are removed from this department this court cannot entertain the appeal. I express no opinion on that subject, but if any doubt exist the plaintiff is entified to it, and the papers should be retained, therefore, until such disposition of his appeal be made as required by law. I do not deem it my duty, whatever may be my opinion like "blig which is exparate in character, whether the order appealed, from its appealable or not. If it be not, it is for the General Term so to declare. The plaintiff may have not a general stay, but an order directing the county clerk not to transmit the papers in this case to Reinsselaer. recently made herein by Justice Learned. It is general stay, but an order directing the county clerk not to transmit the papers in this case to Rensselaer until the appeal herein before referred to or disposed of.

## SUPREME COURT-GENERAL TERM.

The Ramsey and Eric Railway Suit Tempsrarily Estopped.

Before Judges Ingraham, Barnard and Cardozo.

Joseph H. Ramsey vs. The Eric Railway Company.-The argument in this case upon an appeal to pen default was resumed yesterday. Mr. Peckham for the plaintiff, finished his speech, strongly insistfor the planntin, finished his speech, strongly insisting that the default should be opened and citing
numerous authorities in support of his argument.
Mr. Field made a rejoinder, urging with equal pertinacity and being equally protuse in his citations of legal authorities to sustain his
views of the case. This closed the argument.
The Court reserved its decision on the motion open the default, but ordered that there be a
all proceedings in the case until such occision be
rendered. Buylog a Judgment at a Discount.

The City Bank of Brooklyn rs. Tunts Van B Lind. The plaintiff recovered a judgment for \$1 ,625 40 in March, 1861. The defendant died in 19 67, and Ed ward Schell was appointed special dministrator ward Schell was appointed special aministrator pending proceedings relating to the probate of the will. Mr. W. H. Fiandrau purchaser the judgment at under which the Sheriff r add a sale of the premises in question, giving the conveyance. The execution was lessued on the judgment within five year after its recovery or at any time during the life of worth any time during the life of worth \$40,000, and was the judgment and the interest and Sheriff's fees, the decision of the court below, judgment.

### SUPREME COURT-TRIAL TERM. Wit Involving Nice Points of Law.

Before Judge Freedman. Menry J. Meyer vs. L. F. Henneke. - This is a suit growing out of a contract made regarding the sale of the lease of property in Bleecker street. In conection wigh the transaction plaintiff gave the denection with the transaction plaintiff gave the defendant fa promissory note for \$1,000, payable one year from date, which the latter subsequently altered so read "with interest," and, as he alleges, by coment of the plaintiff, but which was denied. The plaintiff sued on the original agreement, claiming trat he note was void by reason of the alteration, and could not be remitted to the agreement. Two questions were involved—the comparative readily of the parties to the suit, and whether the note was vitated through being altered. All defended in taking testimony. The jury but going in a scaled verdict.

## SUPREME COURT-CHAMBERS.

More Theatrical Tribulations-A Hub Manager and and Obdurate Baritone. The following complaint, which gives an insight

into another "scene behind the scenes," was filed yesterday in the Supreme Court. It will be seen that the prospect of another theatrical sensation is not very remote:-

not very remoter—
Alberto Ldurence, Plaintiff, vs. C. D. Hess, Defendant.—The complaint of the the above named plaintiff, by Edwin James, his attorney, states:—First, that the plaintiff before and at the time of making the contract hereinatter mentioned and set forth was a lyric artist and singer, and the defendant was the manager and proprietor of a company then formed, called "The Grand English Opera Combination," then about to make a tour for a certain season in the United States of America and the Canadas; second, that on the 19th day of May, 1870, the defendant in the name and style of "C. D. Hoss & Co.," by writing contracted and agreed with the plaintiff in the manner following, that is to say:—First, that the defendant then engaged the plaintiff to sing and perform in the "Grand English Opera Combination" to be managed by the defendant for a season of eight months, commencing on or about October 2, 1870, and for a tour of the United States of America and the Canadas during the said season; second, that the plaintiff by such agreement contracted and agreed to sing and perform all rôles suiting his voice and position as a "primo baritone assoluto" for which he might be selected by the management, subject to certain

stipulations in the said agreement contained; third, that the salary to be paid to the plaintia by the defendant was \$200 per week, to be paid in United States currency on the Tuesday of each week succeeding the week of service performed, for the said scason of eight months; fourth, that the plaintia in performance of said contract and engagement on his part, entered the said company and then sang and performed various roles, and the defendant in performance of the contract on his part paid to the plaintia salary at the rate specified in the said contract and engagement up to the 24th day of December, 1870. And the plaintia avers that in performance of the said contract and agreement on his part he was at all times ready and willing to sing and perform any role in any open in compliance with the terms and stipulations in the said contract and agreement, and on the 24th day of December, 1870, at Boston, in the State of Massachusetts, where the Grand English Opera Combination were then playing and performing, without any legal excuse or its tifeation, then discharged the plaintia from the said company or combination, and then refused to allow the plaintia to sing and perform as a member of the said company, and then refused any longer to recognize the plaintia as an ember of the said company, and then refused to pay the plaintia the salary then due to him. And the plaintia avers that by reason of the breaches of the said company and refused to pay the plaintia the season contemplated by the said contract, and has been put to serious and heavy expenses in performing the said contract on his part, and has been further in ured in his reputation as a singar by the violation and breach of the said contract, and has sustained damages to the amount of \$5,000; wherefore the plaintia demands judgement for the sum of \$5,000; with the costs of this suit.

The case, under Mr. James' management, promises to give a fresh tensation to the theatrical world.

Before Judge Sutherland. Robert Jardin vs. Quackenbush,-Motion denied. Munsell et al. vs. Gronsell .- Motion granted; bail

Von Schaick vs. McCahill et al .- Motion granted. Rose, Jr., vs. - cBrain, Jr., et al. - Report of re-feree confirmed and order granted. Dinkelspiel vs. T. G. De Tejada et al. - Motion J. L. Brown vs. The Mayor, &c., New York.— Extra allowance of \$200 granted to plaintiff.

SUPERIOR COURT-SPECIAL TERM.

Settlement of the Peck Divorce Case. Before Judge Barbour.

Albert Peck vs. Matilda S. Peck .- This suit for divorce on the ground of alleged adultery was settled vesterday and an order entered discontinuing the proceedings. The order provides that any adultery previous to the settlement of the order cannot be taken into account in any future action for divorce between the parties litigant. Decisions.

Ada Maclellan vs. Desire Fagolle.—Order granted.
Junes C. Anderson vs. Thomas N. West et. al.—
Order granted.
Thomas Cunningham vs. Jacob Stellheimer.—Motion denied, with ten dollars costs.
Rosanna Coyle vs. Peter Coyle.—Order granted.

MARINE COURT.

All About a Piano-Divorce, Crueky and \$250 Before Judge Henry Alker.

John H. Terhune vs. Charles G. Bunell.-This was an action to recover possession of a piano or its value fixed at \$250. The plaintiff and his wife separated about a year ago, she stating on the trial that she did so in fear of her life. Shortly afterwards she conveyed to her father, the defendant, the piano in question, claiming it to be a birthday gift from her husband, while it yet remained at her husband's house, from which the defendant caused it to be removed during plaintiff's absence at business and against the protest of his mother, who was in charge. Many witnesses, members of the family, were called to prove plainting statements that the piano was purchased for and made a present to his wife, and one of them testified to such an activistion even since the commencement of this action. It transpired on the trial that a suit is now pending in the Court of Common Pleas, brought by the wife, for a separation on the ground of cruelty. The Court submitted the question to the jury as to whether the piano became the property and separate estate of the wife, so as to entitle her to convey it to another. If so a verdict must be rendered for the defendant.

Rules for the Marine Court for the Year 1871. The following rules for the Marine Court have

been officially made public:—

1. The Justice holding Court for "Non-Jury Trials," room No. 3, will try all cases upon process of warrant, attachment or short summons. Such cases will be placed on a separate trial calendar.

2. All non-enumerated motions on notice or order to show cause must be heard before the Justice in attendance at Chambers; and orders to show cause will be made returnable before such Justice, unless otherwise ordered by one of the Justices.

3. Parties are at liberty before a cause is put on the "day calendar," by consent in writing filed with the Clerk, to select their ewn day for trial; but when a cause is on the day calendar and reached in regular order and neither party moving or no legal excuse being shown by affidavit for postponement the case with be marked adjourned to go to the foot of the calendar.

being shown by affidavit for postponement the case with be marked adjourned to go to the foot of the calendar.

4. The Trial Terms will commence on the sirst Monday of each month and continue, Saturdays excepted to the end of the third week.

5. The General Terms will commence on the fourth Monday of each month, except July and August there will not be any regular jury called; but the justice holding court will order special panels in his discretion. During July and august there will not be any regular jury called; but the justice holding court will order special panels in his discretion. During July and august there will not be any regular jury called; but the justice holding court will also dispose of the ordinary motions.

7. Actual engagements of course in a Court of Record only will be received as a valid reason for retaining a cause in its place, on the day calendar, and such reservation will case with such cugagement.

8. The foregoing ruly are in addition to the rules of the property; Mr. Taylor told him the property; Mr. Taylor told him the property; Mr. Taylor told him there will not received as a valid reason for retaining a cause in its place, on the day calendar, and such reservation will case with such cugagement.

8. The foregoing ruly are in addition to the rules of the property; Mr. Taylor told him the property in the property

retaining a cause in its place on the day calendar, and such reservation will case with such engagement.

8. The foregoing rule are in addition to the rules now in force, and such of those now in force as confict with the present rules are nereby reschaded.—
(Extract from the Minutes).

LAWRENCE CLANCY, Clerk, General Term January, Alker, Snea, Gross; Pebruary, Alker, Joachimsen, Tracy; March, Alker, Curtis, Shea; April, Alker, Gross, Tracy; March, Alker, Loachimsen, Shea; June, Alker, Tracy; Gross; September, Alker, Curtis; November, Alker, Curtis, Tracy; December, Alker, Lachimsen, Gross; April, Curtis; May, Shea; June, Tracy; September, Curtis; October, Gross; November, Joachimsen; December, Alker, Part 2—January, Gross; February, Shea; March, Curtis; April, Alker; May, Joachimsen; June, Alker; September, Shea: October, Tracy; November, Gross; December, Shea: October, Tracy; March, Shea; April, Tracy; May, Gross; June, Curtis; September, Tracy; May, Gross; June, Curtis; September, Cartis; December, January, Justice Tracy; February, Chamber, January, Justice Tracy; February,

chimsen,

Chimbers—January, Justice Tracy; February,
Justice Gross; March, Justice Joachimsen; April,
Justice Shea; May, Justice Alker; June, Justice
Gross; Juny, Justice Curtis; August, Justice Alker;
September, Justice Joachimsen; October, Justice
Shea; November, Justice Tracy; December, Justice

COURT OF GENERAL SESSIONS.

Jodge Bedford Recommends Law-Abiding Citizens to Shoot Professional Burglars on Before Gunning S. Bedford, City Judge

The January term of this court was opened yes-erday, Assistant District Attorney Sullivan appearing for the people. After the Grand Jury was empanelled the first case on the calendar was called-George Byrne, who was indicted upon a charge of rape. Failing to appear, his recognizance was for-feited and a bench warrant issued for his arrest. FELONIOUS ASSAULT.

The first case tried by a jury was a charge of felonious assault preferred against Caroline Weigleman. nious assault preferred against Caroline Weigleman. The evidence disclosed that on the night of the 8th of November (election night) a crowd of young loafers, who were in the nabit of annoying the neighborhood, was on the sidewalk opposite the house of the accused, No. 325 East Eighth street, and fired coal and large stones into the window, specimens of which were exhibited to the Court and jury, and that in order to frighten the rowdies may she opened the window and fired a gun. It appears that at the time a young man named Michael Farrell, who admitted that he was arrested several times for disorderly conduct, was standing on the sidewalk talking with a companion about target shooting, and was wounded in the thigh by the shot. Another witness for the people—one of the crowd of boys who congregate around the defendant's house every night—admitted that he saw pebbles thrown at Mrs. Weigleman's window. She, however, when sworn, stated that on previous occasions a crowd of roughs annoyed her by throwing pepper and flour in her face, and upon the night in question they threw coal and big stones into her window and broke it. She held the gun out of the window and broke it. She held the gun out of the window and broke it. She held the gun out of the window and broke it. She held the gun out of the window and broke it. She held the gun out of the window and broke it. She held the gun out of the window and broke it. She held the stones into Mrs. Weigleman's window. Counsel stated that they had a number of witnesses to show the peaceable character of the accused, but the Assistant District Attorney and the Judge intimated that it was not necessary to examine them.

Counsel submitted the case under the charge of The evidence disclosed that on the night of the 8th

Judge intimated that it was not necessary to examine them.

Counsel submitted the case under the charge of his Honor. In his charge Judge Bedford used this significant language:—"Genulemen of the jury, I lay down another proposition of law, which is, that every man's house is regarded as his castle, and the law not only permits every occupant of every dwelling house to guard and protect it, but it makes it.

the lawful duty of such occupant on all proper and legitimate occasions to guard and protect his nouse and household. It is for you to say whether the woman on trial, with the fact that on several occaand household. It is for you to say whether the woman on trial, with the fact that on several occasions a crowd of young men would come around and amony her and fire coal and stones into the window, specimens of which you have seen offered in evidence by the District Attorney, did right or not in discharging that gun. I think she did. I shall take this occasion to say that I only wish every law-abiding citizen whose nouse is attacked by loafers, such as menaced the accused, or icioniously entered by burgiars, would do likewise; it would be the best and most bitter lesson a professional burgiar could be taught to be shot on the spot like a dog. This would then save us all a great deal of time and trouble and the county a great deal of expense. It is hardly necessary to state that the jury rendered a verdet of not guilty without leaving their seats. Ferdinand Weigleman, who was indicted for the same offence, was discharged, and the City Judge intimated to him that if he could identify the boys who were annoying them, the Grand Jury would find bittle of undetenned against the rowdes.

A CASE OF GRAND LARCENY—JUDGE BEDFORD DEALS A CASE OF GRAND LARGENY -JUDGE BEDFORD DEALS LENIENTLY WITH FIRST OFFENDERS OF THE LAW

A CASE OF GRAND LARGERY—JUDGE REDFORD DEALS LENIENTLY WITH FIRST OFFERNERS OF THE LAW OF PREVIOUS GOOD CHARACTER.

Walter Logan, a youth, pleaded guilty to an attempt at grand larceny. The complainant had an interview with his Honor in reference to the accused. Judge Bedford, in disposing of the case, said that he learned that Logan's antecedents were good, and this was the first charge ever preferred against him. While I am determined, Said the Judge, to mete out the full penalty of the law on every occasion to the professional fine, yet, on the sainer hand, I will aways bostpone judgment for the first offence perpetrated by a young man of previously good character. Logan was accordingly discharged.

The following is the calendar for to-day:—The People vs. Charles Wilkinson, grand larceny, and Harrison Tucker, receiving stolen goods; Same vs. Nellie Crooker, grand larceny; Same vs. Thomas Freeman, grand larceny; Same vs. Thomas Freeman, grand larceny; Same vs. Thomas Freeman, grand larceny; Same vs. Thomas Hobbs, grand lacceny; Same vs. Leander Baker, receiving stolen goods; Same vs. Mary Conville, gran larceny; Same vs. James laker, grand larceny; Same vs. Charles Wilson, grand larceny; Same vs. Jonn Gelingan, larceny from the person; Same vs. John Hayos, larceny from the person; Same vs. John Hayos, larceny from the person; Same vs. John Gelingan, burglary; Same vs. James Tully, grand larceny.

### COURT CALENDARS-THIS DAY.

SUPREME COURT-GENERAL TERM.-Held umerated motion and preferred causes. SUPREME COURT—CIRCUIT—Part 1.—Before Judge Brady. Court opens at eleven A. M.—Nos. 2445, 2715, 1467, 2895, 2799, 71, 165, 235, 211, 267, 273, 301, 61, 8, 7, 9, 11, 15, 21, 23. Part 2.—Before Judge Van Brunt.—Nos. 3438, 800, 1814, 338, 2430, 1884, 1966, 12, 18, 138, 152, 156, 196, 210, 248, 298, 296, 260, 294, 316, SUPREME COURT—CHAMBERS.—Held by Judge Sutnerland.—Nos. 76, 94, 96, 196, 107, 169, 109. Call 116.

Sutnerland.—Nos. 76, 94, 96, 106, 107, 108, 109. Call 110.

SUPERIOR COURT—Part F.—Adjourned until Monday. Part 2.—Nos. 462, 48, 456, 578, 546, 454, 418, 570, 442, 146, 476, 506, 576, 542, 136, 476, 506, 576, 542, 136, 456, 576, 542, 146, 476, 506, 576, 542, 1403, 163, 278, 49, 6053, 53, 468, 469, 471.

MARINE COURT—Part 1.—Before Judgo Akker.—Nos. 4602, 4655, 478, 472, 4774, 4772, 4773, 4774, 4775, 4776, 4777. Part 2.—Before Judge Gross.—Nos. 4115, 4556, 4570, 4636, 4637, 4575, 4838, 4669, 4671, 4702, 4774, 4784, 47

#### BROOKLYN COURTS.

COUNTY COURT.

Interesting to Mechanics. Before Judge Troy.

Patrick Conway, a stonemason, made a verbal agreement with Ralph Griffin on the 25th of last Sep tember, Sunday, to build for Griffin a cellar wall, 22x40 feet and nine feet high, Griffin agreeing to furnish water for the use of the masons, which had to be carried nearly a block. The work was to be done on a house in Grand avegue, near Myrtie avenue. Conway, who is a poor man, set to work to complete his contract, and when the wall was nine feet high demanded a balance of seventy dollars due out of the ninety dollars which he was to receive. Griffin refused to pay, saying that the wall must be raised to mue inches above the level of the curbstone of the street. Conway insisted that he had made no such agreement, and such for his money in a justice's court, where he got a judgment for the full amount claimfed. The defendant took the case to the county court on appeal, and set up a counter claim for loss of rent of the building in consequence of Conway's alleged delay. Counsellor Keady, who appeared for Conway, apset this theory by showing that the defendant did not furnish the water for the masons as he agreed to do, and that this was the cause of the delay. The jury were charged by Judge Troy on the law of the case, and after two hours' deliberation brought in a verdict of \$50 for the plantial. The Court refused to receive such a verdict, as being contrary to the evidence, and the jury increased it to \$70 without leaving their seats. seventy dollars due out of the minety dollars which

BROOKLYN COURT CALENDAR.

SUPREME COURT—CIRCUIT.—Nos. 27, 28, 52, 53, 54, 56, 57, 59, 60, 61, 62, 64 to 92 luciusive.

COURT OF APPEALS CALENDAR.

herit; two days afterwards he met Mr. Taylor and said he was not looking well; Mr. Taylor replied, "I am as well as ever I was, but, G-d d-n it! I "I am as well as ever I was, but, G—d d—n it! I cannot trust anybody." and went off, this was one or two days after Kate's marriage.

Isaac E. Tate had known Mr. Taylor for eighteen years; Mr. Taylor had seemed to him quite a particular man with his papers; he had often seen him write; the signature to the alleged will was too well written, he thought; he had not for hive or six years written (so lar as witness knew) as correct a hand as this signature; it had more of a twitch in it; he could not say whether or not this was Mr. Taylor's signature.

signature.
To Mr. Anthon—The Madison avenue property was got in exchange for the Broadway property.
The proceedings were very brief and uninteresting, and the further hearing was adjourned till Monday next.

"It never rains but it pours" is an adage that was

# SERIES OF ACCIDENTS IN NEWARK.

painfully exemplified in Newark yesterday in connection with a sad series of serious accidents which happened there. The most shocking was one that occurred during the afternoon, by which a young girl named Emma Stetson will certainly lose her life. Regardless of thousands of warnings she undertook to hasten the kindling of a fire by pouring on the smouldering embers some kerosene oil. An explosion was the result, and she was frightfully burned about the head and body. Rushing out into the street, her garments all on fire, she was soon observed by the neighbors, and all that was possible was done for her, but the doctors unite in the opinion that she cannot survive. A couple of years she had a narrow escape in the same manner. that time she was stunned with the explosion but not hurt. She was mneteen years of age and lived on the corner of Hamilton and Columbia streets. The fire alarm being struck the firemen turned out. At Morrison & Sinclair's machine shop, in James street, the engineer, Charles Watson, supped into the machinery and was fearfully lacerated. The flesh was torn from its breast and right arm from shoulder to wrist. It is a question if he survives. Thomas Leddy, a Philadelphian, while in an intoxicated condition yesterday and waiting for a train slipped and fell heavily on the key sidewalk, and died almost instantly; he was about forty years of age. Still, again, yesterday forenoon a carpenter named Charles Utier, of No. 181 Commerce street, by the giving away of a scaffold was precipitated twenty feet; his left arm was broken, and it is feared his spine is injured. Several other minor accidents are reported also. that time she was stunned with the explosion but

BUFFALO, Jan. 4, 1871. A large meeting of the Board of Trade and citiens was held on 'Change this morning, to consider the report, currently believed, that Auditor Bell intended to make an effort to have the bill of the late Legislature reducing tolls repealed. After an animated denunciation of Bell's scheme the following resolutions were adopted by acclamation:-Resolved, That the Board approve the low toll system

Resolved. That an advance of canal tolls over the rates expressed in the toll sheet of 1870 would be ruinous to the best luterest of our State.

Resolved, That the Chair appoint a committee of fifteen, whose duty shall be to use their best efforts and endeavors for the maintenance of the toll sheet of 1899 and take such action in the premises as their judgment may dictate.

A committee was appointed by the Chair composed of prominent officers of every smade of political

## BOLD BURGLARS.

Important Arrest of Desperate Thieves.

A Gang of Burglars Ravaging the Suburbs Westchester County and New Jersoy Visited-Robberies and Murde .ous Assaults Committed.

Quite an extensive series of burgla s have occurred of late in the suburbs and neighboring towns of this city, and property to the amount of \$50,000 or thereabouts taken and carried away. Within a few days, however, a clue has been discovered which has led to the arrest of some of the depredators and the recovery of a considerable share of the stolen property. This latter fact, it is may fair to state, is due, first, to Superintendent Keiso, and next to the indefatigable exertions of detectives King and Lyons, of the Tenth precipet, to whom Superintendent Kelso entrusted the important matter of uncarthing the robbers. They have been almost completely successful. The first place where the burglars began their operations was in Westchester, and here they BAVAGED WITH IMPUNITY .

for some, time till at length the people became aroused and the locality getting, in common parlance, too hot for them, the cracksmen betook the selves to other fields and pastures new. They fied to Newburg, having meantime, however, taken care to send their spoll to this city to one of their gang, named Thomas Kennedy, alias Cannally, residing at 179 Elizabeth street (rear), who of course lost no time in disposing of it to the best advantage. Among the parties in Westchester whose houses were entered and round were Mr. Charles L. Cammon and Captain F. Grote, a supervisor of the county. The former lost a valuable music box and a clock of costly workmanship, and the latter two clocks and other property. Mr. Richard Hoe, the manufacturer of Hoe's printing presses, was also among the victims. This gentleman's house was entered and robbed of a magnificent clock, valued at \$2,500. and a music box worth \$600. Mr. Hoe's property was found by the detectives in a pawn shop in Spring street, where it had been pledged for thirty-seven dollars, and that of the other two

the burglars tarrie d only | few days, BREAKING INTO A DWELLING HOUSE, and carrying away a gold watch and a few diamond rings. Shortly after this burglary was committed Hugh Prendergast, well known to Lyons King, made his appearance in the Bowery, after a somewhat protracted absence, and was arrested on suspicion. In his cont pocket they found a note dated Newburg, addressed to him by his wife, in much like the following words:-

gentlemen has also been recovered. In Newburg

DEAR HUGH - Come up for the holidays, but be very care ful; for the man who rowed you across the river says he care identity you. You are suspected for the burgiary. DEAR HUGH Come up for the holidays, but be very careful; for the man who rowed you across the river says he can stentify you. You are suspected for the burgary.

Hugh was quickly sent back to Nowburg, where he is at present in custody. The gang next visited the pleasant little town of Englewood, N. J. On the might of the sth of last month air. E. H. Andrews was lying asleep at his residence in Englewood. It was a frosty, moonlight night, and the gas burned brightly in his room. It happened that something fell on the floor which awoke him, and opening his eyes he beheld a maa in the middle of the room, who stared at him with a fixed and murderous expression. Not a word was spoken by either for a moment. Mr. Andrews was, to a certain extent, paralyzed by this gain looking and unexpected apparation; but, quickly recovering thinself, he called out to the intruder, in a siern tone of voice, "Who are you?" The words had not left his mouth when he received

In the breast and arm, which caused him to utler a piercing cry of pain, waking echoes in the neighborhood and starting all around from their repose. The burglar did not pause a moment, but fled incontinently down the stairs, earrying away with him, however, several articles of wearing apparel. The same night the house of Mr. J. Smith norman was also entered and robbed of about \$1,000 worth of Sice!, silver ware and a quantity of cictning.

THE GOOF, QUIET PEDPLE OF EXALEWOOD were not a little alarmed over these two occurrences, and offered \$7.0 reward for the arrest and conviction of the robbers. On standay night George Hart, alias Dogherly, alias Adams, was arrested in West Broadway by detectives Lyons and King, of the Tenth, and taken to the station. From information they had received they believed him to be one of the parties engaged in the latter burglaries, and they accordinally communicated with Mr. Andrews, who came to this city yesterday and dennified him as the man he had seen in his house on the sith of December, and who had struck him, as stated, with a

# THE BROOKLYN BURGLARY.

A Speedy Arrest of Three More of the Gang-Statement of the Wounded Thisf-A Regu larly Organized Band of Burglars-List of Places Marked for "Cracking."

The HERALD of Monday morning contained an account of a burglary commuted upon the coffee and spice mill of Arbuckle & Brother, Nos. 19 and 20 water street, Brooklyn, by six notorious and ruffianly outlaws, who have each done the State service. One of the gang, John Irwin, was shot by one of his confederates while making his escape, and is at present lying at the point of death. Superintendent Campbell, of Brookiyn, learning the burgiars had escaped to this city on Sunday night, visited Superintendent Keiso and remained closeted with him nearly all night in his private office to secure his services in bringing the guilty parties to justice, which resulted in the arrest of three parties on Tuesday night, who were fully identified by the night watchman and a police officer from Brooklyn, who aided in the arrest of Irwin, as the parties they had seen leave the premises. Their names are John McCluskey, alias Moolechy, arias Dan Griffin, a convict of five years' service; James Martin, alias Shinney Martin, alias Wilson, ten years' free labor, and Stephen Maloney, ten years. Maloney was found in a bucket shop in First avenue, with his carpet-bag packed, ready to take his departure, yesterday morning; Martin was found in Mott street and McCluskey in a gin mill in Water street, secreted

and McCluskey in a gin mill in Water street, secreted under a bed.

The prisoners, who were arrested by detective Finn, of the Fourth precinct, were conveyed before Superintendent Kelso, at Police Headquarters, yesterday morning, and detained until the arrival of an officer from Brooklyn, into whose custody they were given and locked up in the Raymond street jail. The men were arrested on the information furnished by their unfortunate companion, who, as above stated, is now lying at the point of death. He says they were organized for work; that they had a treasurer, bookkeeper and capitalist. The cabitalist would employ connsel when any of them got into the messies of the law. One man was kept as travelling agent or scout of the band, and his duty was to lay out the field of operations and take stock of the premises, which information he reported to the chief of the band, and the rogues moved accordingly. Irving gave the following list from memory of Brooklyn places to be opened by the gang during this month:—B. Davis, corner of Columbia and Fulton streets; Joseph Mumby, corner of Columbia and Fulton streets; Robert Powel, 104 Fulton street; Mr. Wurtz, old Brooklyn Bank; Dr. Squibbs, Vine street; Delaware and Lackawanna Coal Company, Atlantic street.

#### ARREST OF MECNILD, THE NOTORIOUS EMIGRANT SWINDLER.

Captain Thorne and officer Freeman, of the Iwenty-sixth precinct, brought before the Court of General Sessions, late yesterday afternoon, Patrick McDonald, who was convicted of grand larceny in defrauding an emigrant named Joseph Boutrick, on the 28th of March last, before Judge Bedford, and sentenced to the State Prison for five years. Mc-Donald at the time appealed his case to the Supreme Court, and was bailed by one of the justices of that court, and was granted a new trial by the General Term. District Attorney Garvin took the case to the Sessions. McDonaid then fied the city and his ball was torfeited.

Sessions. McDonaid then fied the city and his ball was lorfelted.
Judge Garvin subsequently issued his warrant, and McDonaid was yesterday arrested in Tom Hadden's den in Water street, and whi be conveyed to the State Prison to serve out his term of five years. This was one of the most important cases tried by Judge Bedford during last March term, and the Judge was deservedly commended for the promptness with which he sentenced McDonaid. It was feared that McDonaid would never "turn up;" but by the vigliance of the authorities he is now to suffer the penalty of his crime. There were a number of complaints against him, made by emigrants whe had been defrauded out of all their money.